

Amendments to the Specification

Please amend the numbered paragraph [0043] on page 13 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0043] Regardless of the configuration or layout of the lottery system 100, it will often be the case that the lottery terminal unit 104, 116 will include lottery play slip or ticket readers 132 which may be used to scan an instant game ticket or a lottery play slip 300 completed by the player, and a lottery ticket 302 previously generated at a lottery ticket printer 133, to determine whether the ticket contains a winning combination. Referring to FIGS. 3 and 3A, the lottery play slip 300 and the lottery ticket 302 may be composed of paper, mylar, cardboard or any other suitable printable or encodable material. The lottery play slip 300 and lottery ticket 302 may include informational, instructional or security information such as a bar code, award details, authentication numbers, or any other desired information. Further, it will be understood that different ticket types and formats may be used depending on the theme, format and rules of the game. The lottery ticket 302 may be printed with any optically readable material such as ink, or encoded with data on a magnetic material or other smart chip.

Please amend the numbered paragraph [0045] on page 14 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0045] The exemplary lottery play slip 300 illustrated in FIG. 3 is configured to play a keno game as indicated by the title ~~300~~ 304. The player may select how many numbers or spots are to be matched in a given keno game at 310, thereby decreasing the odds

of winning and simultaneously increasing the potential payout of a winning selection. By selecting a Quick Pick 316, the player may allow the lottery terminal unit 104 to randomly select a plurality of numbers equal to the number of spots indicated at 310. However, the player may opt to manually select the numbers by choosing numbers (i.e. spots) between 1 and 80, as indicated in the manual selection area 318. Finally, the manual or automatic selections may be consecutively played by indicating the desired number of games, for example one, two, three, four, five, ten or twenty, at 314.

Please amend the numbered paragraph [0046] on page 14 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0046] FIG. 3A details the exemplary lottery ticket 302 that may be generated in response to the selections made by the player on the lottery play slip 300. For example, the lottery ticket 302 may include a title 320 indicative of the game being played, a game area 322 that may provide results, confirmation information or other game-related information, and a status area 324 that may include wager information, drawing date, tracking information etc. Further, the lottery ticket 302 may include an advertising area 326 where messages or other consumer information may be printed, and a coding area 328 that may have a tracking number 330 and a graphical code 332. The tracking # 330 and graphical code 332 may be used to confirm the validity of the ticket, the location of purchase, amount of wager, numbers selected or any other desired information. The lottery ticket stock, or blank, may be preprinted with additional information such as, a

public service message 334, a disclaimer, game rules or any other desired end-user license or contract information.

Please amend the numbered paragraph [0063] on page 21 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0063] FIG. 3B illustrates an exemplary word based lottery play slip 370 similar to the lottery play slip 300 described in FIG. 3. The word based lottery play slip 370 may include many of the general components described in connection with the lottery play slip 300, these components may be, among other things, the title 304, directions 306, general game selections 308, wager 312, number of games 314, quick pick 316, and manual selection area 318. The word based lottery play slip 370 may further include a section by which a player can manually select a phrase. The manual selection area 318 may allow the player to code the word or play phrase 372 by filling in an indicator bubble 374 corresponding to an indicated letter 376. For example, the player may choose the play phrase 372 "The Quick Brown Fox Jumps Over the Lazy Dog" which, in turn, ~~my~~may be coded as described above. In other words, the player may write the desired word or play phrase 372 along the top of the play slip 370, and then fill in the indicator bubbles 374 to create a machine-readable format. The indicator bubble 374 may be filled in by a selection mark 378 that may be a No. 2 pencil mark, ink, or any other magnetically, or optically readable sign.

Please amend the numbered paragraph [0068] on page 23 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0068] Regardless of the manner in which the play phrase is defined or the general way in which the optional word based lottery play slip is configured, a word lottery ticket memorializing the desired play phrase may be printed by the ticket printer 133 integral to the lottery terminal unit 104. Generally, the word based lottery ticket may include the same general components described in connection with the lottery play-ticket 302, these components specifically may include, among other things, the title 320, game area 322, status area 324, advertising area 326, coding area 328 including the tracking number 330 and graphical code 332.

Please amend the numbered paragraph [0072] on page 25 of the substitute specification filed on October 27, 2006 to correct typographical errors, as follows:

[0072] The character string 386 is randomly and independently generated with respect to the play phrase 372. It will be understood that generation of the character string 386 can be accomplished in through a variety of processes. However, regardless of the generation process employed each possible outcome can be assigned a probability. This is what allows the assignment of precise prizes. The correlation between the character string 386 and the words in the phrase determines the winners. For example, the game could be defined such that there are no repeats allowed in the character string 386 and each letter can be used as many times as desired. A word is ~~won~~ "won" if it

can be formed from the letters contained within the character string 386 wherein each letter in the character string 386 can be used as many times as desired.

Remarks

Applicant respectfully requests reconsideration and allowance of the present application in view of the claim amendments and the remarks below.

In the present Amendment, Applicant has amended paragraphs [0043], [0045], [0046], [0063], [0068], [0072] of the specification to correct typographical errors. In addition, Applicant has amended claims 29, 38, 50, and 52-53 to more clearly define embodiments of the present invention over the cited references, and Applicant has cancelled claims 36 and 51. Therefore, claims 29-35, 37-50 and 52-53 remain pending in the present application, of which claims 29, 42, and 50 are independent claims.

Objections to the Drawings

The drawings stand objected as failing to comply with 37 C.F.R. 1.84(p)(4). Specifically, the Office Action states that “reference characters ‘300’, ‘304’ and ‘320’ have each been used to designate ‘title.’” The Office Action also states that “reference characters ‘302’ and ‘380’ have both been used to designate ‘lottery ticket’ (paragraphs 43-46, 67).” Additionally, the Office Action objects to the reference characters 370 and 372.

Applicant has amended paragraphs [0043], [0045], [0046], and [0068] to correct various typographical errors in the reference numbers and names. Specifically, Applicant has amended paragraph [0043] correct the references to the lottery play slip 300 and the lottery ticket 302. Applicant has also amended paragraph [0045] to correct the reference number for the title from “300” to “304” as shown in Figure 3. Reference number 320 identifies the title as shown in Figure 3A.

Applicant respectfully submits that the new drawings submitted on November 20, 2006 illustrate the play slip 370, play phrase 372, and lottery ticket 380 variously described in paragraphs [0063]-[0070], for example.

As such, Applicant respectfully asserts that the present and previous amendments to the specification have corrected the typographical errors in the specification to overcome the objection to the drawings. Therefore, Applicant respectfully requests withdrawal of the objections to the drawings.

Objections to the Specification

The disclosure stands objected to for informalities in paragraphs [0063] and [0072].

Applicant has amended the typographical errors in paragraphs [0063] and [0072] and respectfully requests withdrawal of the objection to the specification.

Claim Interpretation

In the Office Action, the language “alphabetical play phrase” was deemed to include any coherent text or any text or a word or includes an alphanumeric sequence. Applicant agrees with the Examiner’s interpretation that the term “phrase” can include a single word. However, it is important to realize that every word does not constitute a phrase. In other words, each word in the dictionary is not also a phrase. For example, the word “the” alone can not constitute a phrase, but the word “go” can constitute a phrase. As such, it is improper for the Office Action to construe the term “phrase” as including each and every word in the English language. Even with respect to the above

argument, to move prosecution forward, Applicant has amended independent claim 29 to recite that the alphabetical play phrase comprises a plurality of words.

In addition, Applicants respectfully disagree with the interpretation that the term “alphabetical play phrase” includes alphanumeric sequences. Specifically, the word “alphabetical” prohibits alphanumeric sequences. The Office Action pointed to the abstract and paragraphs 44, 57, 62-63, 78, and 85 of the current specification as intrinsic evidence for including alphanumeric sequences within the scope of an alphabetical play phrase. Applicants respectfully assert that these paragraphs do not give this meaning. In paragraph 44, alphanumeric sequences are used in a description of a “lottery game such as keno, lotto, Pick-3 and Pick-4 games.” Applicant submits that this discussion of the lottery ticket is not a lottery ticket for a word-based lottery game as recited in the claims and does not provide intrinsic evidence to the scope of the term “alphabetical play phrase.” Additionally, paragraph 57 describes a lottery routine in reference to a Pick-4 game and not a word-based lottery game. Additionally, the Office Action admits that “alphabetic or alphabetic play phrase is deemed to limit invention to require letters” (page 5, lines 19-20). Applicant respectfully asserts that in no way can “alphabetical play phrase” include an alphanumeric sequence.

35 U.S.C. 112 Rejections

Claim 36 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 51-53 stand rejected as lacking proper antecedent basis.

Applicant has cancelled claims 36 and 51 and amended claims 52-53 to provide adequate antecedent basis. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 112 rejections of claims 36 and 51-53.

35 U.S.C. 102/103 Rejections

Independent Claim 29

Claims 29-30 and 32-33 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,112,050 (Koza '050) or in the alternative, under 35 U.S.C. 103(a) as being obvious over Koza '050 in view of either U.S. Patent 4,157,829 (Goldman '829) or U.S. Patent 6,168,521 (Luciano '521). Claims 29-30 and 32-33 also stand rejected under 35 U.S.C. 103(a) as being unpatentable over either Goldman '829 or Luciano '521 each in view of Koza '050.

Applicant respectfully traverses the rejections of independent claim 29 for at least the reason that the cited combinations do not disclose or teach each limitation recited in the independent claim. As presently amended, independent claim 29 recites an apparatus for playing a word based lottery game that includes a game input unit configured to receive a random alphabetical play phrase from a user. The alphabetical play phrase comprises a plurality of words. Applicant respectfully submits that neither Koza '050, Goldman '829, nor Luciano '521 disclose or teach a game input unit configured to receive a random alphabetical play phrase from a user, wherein the alphabetical play phrase comprises a plurality of words, as recited in independent claim 29.

Koza '050 is directed to a broadcast lottery in which a player of the game

acquires a ticket containing the game information for comparison to information broadcasted from a transmitter. Koza '050 specifically states that "a player selects a word from a collection of preselected words and wins if the player's selected word matches the winning word drawn from the set" (col. 12, lines 57-59) (emphasis added). The Office Action also admits that "Koza '050 lacks a plurality of words" (page 19, line 6). Applicant respectfully submits that Koza '050 specifically teaches that the user provide only one word, while independent claim 29 as presently amended requires the alphabetical play phrase to comprise a plurality of words.

Applicant respectfully submits that Goldman '829 and Luciano '521 fail to cure the deficiencies of Koza '050. Both Goldman '829 and Luciano '521 are relied upon in the Office Action to show a controller. Applicant respectfully asserts that neither Goldman '829 nor Luciano '521 disclose or teach a game input unit for receiving a random alphabetical play phrase from a user, wherein the alphabetical play phrase comprises a plurality of words, as recited in claim 29. As such, Applicant respectfully requests withdrawal of the 35 U.S.C. 102(b) and 103(a) rejections and allowance of independent claim 29 and its dependent claims 30-35 and 37-41.

Independent Claim 42

Claims 42-45 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Koza '050 in view of either U.S. Patent 5,788,573 (Baerlocher '573) or U.S. Patent 5,921,864 (Walker '864).

Applicant respectfully traverses the rejection of independent claim 42 for at least the reason that the cited combinations teach away from one another and the limitations

recited in claim 42. As presently amended, independent claim 42 recites a method for playing a word-based lottery game that includes receiving an alphabetical play phrase from a user, the alphabetical play phrase having a plurality of words.

Koza '050 is directed to a broadcast lottery in which a player of the game acquires a ticket containing the game information for comparison to information broadcasted from a transmitter. Koza '050 specifically states that "a player selects a word from a collection of preselected words and wins if the player's selected word matches the winning word drawn from the set" (col. 12, lines 57-59) (emphasis added). As the Office Action admits, "Koza '050 lacks a plurality of words" (page 19, line 6).

Baerlocher '573 or Walker '864 teach/demonstrate Wheel of Fortune as a game of chance having a plurality of words. However, the plurality of words in Wheel of Fortune are not provided by a user, as recited in claim 42. Specifically, Baerlocher '573 teaches that the phrase is hidden to the player (col. 1, lines 24-25). Additionally, Walker '864 specifically states that "the objective of the electronic word puzzle game is to solve a hidden phrase or quotation" (col. 4, lines 18-19). Consequently, both Baerlocher '573 and Walker '864 directly teach away from the limitations recited in claim 42 and the teachings of Koza '050 by requiring that the phrase is hidden to the player. As such, Applicant respectfully submits that one of ordinary skill in the art would not have found it obvious to combine the teachings of Baerlocher '573 or Walker '864 with Koza '050 to arrive at the invention recited in claim 42. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 103(a) rejection and allowance of independent claim 42 and its dependent claims 43-49.

Independent Claim 50

Claims 50-53 stand rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,241,246 (Guttin '246) or, in the alternative, under 35 U.S.C. 103(a) as obvious over Guttin '246 in view of either U.S. Patent 5,788,573 (Baerlocher '573) or U.S. Patent 6,602,133 (Chan '133) or U.S. Patent 5,921,864 (Walker '864).

Applicant respectfully traverses the rejection of independent claim 50 for at least the reason that the cited combination does not disclose or teach each limitation recited in the independent claim. As currently amended, Independent claim 50 recites a lottery ticket that includes a pre-printed word-based play phrase comprised of a plurality of words, whereby a prize is associated with each word in the pre-printed play phrase.

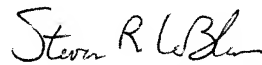
Guttin '246 is directed to a lottery ticket where the player matches a preselected list of words with words in a game area arranged as puzzles. As shown in Figure 1 of Guttin '246, the Prize Key Box 8 lists a prize value associated with a plurality of words, not each word as recited in independent claim 50.

Applicant submits that Baerlocher '573, Chan '133, and Walker '864 fail to cure the deficiencies of Guttin '246. Neither Baerlocher '573, Walker '864, nor Chan '133 disclose or suggest a pre-printed word-based play phrase comprised of a plurality of words, whereby a prize is associated with each word in the preprinted play phrase. Therefore, Applicant respectfully requests withdrawal of the 35 U.S.C. 102(b) and 103(a) rejections and allowance of independent claim 50 and its dependent claims 52-53.

For at least the reasons discussed above, Applicant respectfully submits that the present application is in complete condition for allowance, and favorable action, therefore, is respectfully requested. Should any issues remain after consideration of this amendment, then Examiner Sager is invited and encouraged to telephone the undersigned at his convenience. If any fee not accounted for above is required for entry of this Amendment or papers filed herewith, authorization is hereby granted to charge such fee to Deposit Account No. 04-1403. If any petition is required for entry, such petition is hereby made and any associated fees may also be charged to our deposit account. Should the Examiner have any questions with respect to this response, he is invited and encouraged to telephone the undersigned at his convenience.

Respectfully submitted,

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